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**SUPREME COURT OF THE UNITED STATES**

**OCTOBER TERM, 1942**

**No. ~~1093~~ 102**

**NORTH CAROLINA FINISHING COMPANY,**  
*Petitioner,*  
*vs.*

**NATIONAL LABOR RELATIONS BOARD.**

**PETITION FOR WRIT OF CERTIORARI TO THE  
UNITED STATES STATES CIRCUIT COURT OF  
APPEALS FOR THE FOURTH CIRCUIT AND BRIEF  
IN SUPPORT THEREOF.**

**BURTON CRAIGE,  
WOODSON AND WOODSON,  
WALTER H. WOODSON,**  
*Counsel for Petitioner.*



## INDEX.

### SUBJECT INDEX.

	Page
Petition for writ of certiorari .....	1
Brief in support of petition .....	5
Reference to official report of opinion rendered in court below .....	5
Statement of grounds on which jurisdiction of this Court is invoked .....	5
Statement of the case .....	6
Specification of error .....	7
Argument .....	7
I. Upon the evidence in this case, it may not be held that through anti-Union remarks on the part of two minor su- pervisory employees, the petitioner violated the National Labor Relations Act .....	7
II. There is no substantial evidence to sup- port the conclusion that in discharg- ing and refusing to reinstate Annie Mae Evington, the petitioner violated the National Labor Relations Act ....	12

### TABLE OF CASES CITED.

<i>Appalachian Electric Power Co. v. National Labor Relations Board</i> , 93 F. (2d) 985, 989 (C. C. A. 4th) .....	22
<i>Bussman Manufacturing Co. v. National Labor Re- lations Board</i> , 111 F. (2d) 783, 787 (C. C. A. 8th) ..	23
<i>E. I. DuPont de Nemours &amp; Co. v. National Labor Re- lations Board</i> , 116 F. (2d) 388, 400 (C. C. A. 4th) ..	12
<i>Jefferson Electric Co. v. National Labor Relations Board</i> , 102 F. (2d) 956 .....	11
<i>Magnolia Petroleum Co. v. National Labor Relations Board</i> , 112 F. (2d) 545, 548 (C. C. A. 5th) .....	16, 21
<i>Martel Mills Corp. v. National Labor Relations Board</i> , 114 F. (2d) 633 (C. C. A. 4th) .....	11, 17

	Page
<i>National Labor Relations Board v. Asheville Hosiery Co.</i> , 108 F. (2d) 288, 293 (C. C. A. 4th) .....	22
<i>National Labor Relations Board v. International Shoe Co.</i> , 116 F. (2d) 31, 37 (C. C. A. 8th) .....	22
<i>National Labor Relations Board v. Mathieson Alkali Works</i> , 114 F. (2d) 796, 802 (C. C. A. 4th) .....	11
<i>National Labor Relations Board v. Standard Oil Co.</i> , 124 F. (2d) 895 (C. C. A. 10th) .....	11
<i>National Labor Relations Board v. Tex-O-Kan Mills</i> , 122 F. (2d) 433, 438 (C. C. A. 5th) .....	22
<i>National Labor Relations Board v. Union Pacific Stages</i> , 99 F. (2d) 178, 179 .....	11, 17
<i>National Labor Relations Board v. Whiteier Mills Co.</i> , 111 F. (2d) 474, 479 (C. C. A. 5th) .....	12
<i>National Labor Relations Board v. Williamson-Dickie Manufacturing Co.</i> , 130 F. (2d) 260, 267 (C. C. A. 5th) .....	17
<i>North Carolina Finishing Co. v. National Labor Relations Board</i> , 133 F. (2d) 714 (C. C. A. 4th) .....	5
<i>Patton v. Texas &amp; Pacific Railway Co.</i> , 179 U. S. 658, 653, 21 Sup. Ct. 275, 45 L. Ed. 361 .....	23
<i>Quaker State Refining Corp. v. National Labor Relations Board</i> , 119 F. (2d) 631, 633 (C. C. A. 3d) ..	12
<i>Samulski v. Menasha Paper Co.</i> , 147 Wis. 385, 133 N. W. 142, 145 .....	21
<i>Shapleigh v. United Farms Co.</i> , 100 F. (2d) 287, 289 (C. C. A. 5th) .....	21
<i>Virginia Electric &amp; Power Co. v. National Labor Relations Board</i> , 115 F. (2d) 414 (C. C. A. 4th) .....	11
<i>Wilson &amp; Co. v. National Labor Relations Board</i> , 120 F. (2d) 913, 919 (C. C. A. 7th) .....	12

#### STATUTES CITED.

##### National Labor Relations Act:

Section 7 .....	6
Section 8(1) .....	6
Section 8(3) .....	6
28 U. S. C. A., Section 347 .....	2, 5
29 U. S. C. A., Section 151 .....	6
29 U. S. C. A., Section 157 .....	12

**SUPREME COURT OF THE UNITED STATES**

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**NATIONAL LABOR RELATIONS BOARD.**

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**PETITION FOR WRIT OF CERTIORARI.**

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The petition respectfully presents to the Court:

1. That the petitioner is a North Carolina corporation engaged in the business of sizing, bleaching and dyeing cloth and has its principal office and place of business near the City of Salisbury, North Carolina.

2. That this petition for writ of certiorari arises out of a proceeding instituted against the petitioner by the National Labor Relations Board; that the record of such proceeding filed herewith presents two matters of controversy or issues which may be stated as follows:

When the National Labor Relations Board finds that the petitioner has taken a clear-cut position of "no opposition" to a labor union among its employees and has so



instructed all its supervisory employees, some forty in number, may it nevertheless be held that the petitioner has violated the National Labor Relations Act because two minor supervisory employees, contrary to their instructions, thereafter make anti-union remarks?

Under the circumstances of this case, is there substantial evidence to support the conclusion that the petitioner discharged one of its employees because of union activity?

3. That in the proceeding instituted by the National Labor Relations Board against the petitioner, the said Board ruled against the petitioner on these two matters of controversy and that the United States Circuit Court of Appeals for the Fourth Circuit has affirmed such rulings; that the record in this case contains no substantial evidence to support such rulings, but that such rulings are, on the other hand, contrary to the evidence in the case and contrary to the law which is applicable thereto, as is particularly set forth in a brief attached hereto; that the order of the National Labor Relations Board upon such rulings as sustained by the Circuit Court of Appeals deprives the petitioner of its property without due process of law and thereby violates the provisions of the Fifth Amendment to the Constitution of the United States; that a proper decision of the issues here involved is important in the administration of the National Labor Relations Act and in the determination of future proceedings under that Act.

4. That under the provisions of Section 347 of Title 28, U. S. C. A., this Court has jurisdiction to review this cause and the proceedings had herein.

WHEREFORE, the petitioner respectfully prays the Court for a writ of certiorari directed to the United States Circuit Court of Appeals for the Fourth Circuit and commanding that Court to certify and send to this Court a transcript

of the record of all proceedings in this cause, to the end that the case may be reviewed and determined by this Court as is by law provided; and the petitioner prays that it may have such other and further relief or remedy as to the court may seem just and proper.

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